



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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March 14, 2011

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From: William T Fujioka  
Chief Executive Officer

## **SACRAMENTO UPDATE**

This memorandum contains four pursuits of County position on climate change legislation relating to: 1) building standards; 2) reusable bags; 3) solid waste diversion requirements; and 4) land use; and a status update on 24 County-interest climate change bills related to: water quality, supply and conservation; energy efficiency/renewables; transportation and land use; environmental protection and open space; California Environmental Quality Act exemptions; green workforce/green jobs; and miscellaneous climate change issues.

### **Pursuit of County Position on Climate Change Legislation**

**AB 19 (Fong)**, as introduced on December 6, 2010, would require a water purveyor that provides water service to a multiunit residential structure or mixed-use residential and commercial structure that is subject to specified building standards, to either adopt a general policy to require the installation of a water meter or a submeter to measure water supplied to each individual dwelling unit, or to inform an applicant for new water service as to whether a water meter or submeter is required for each individual dwelling unit. The bill would require the owner of the structure to ensure that a water submeter installed for these purposes complies with laws and regulations governing installation, approval of meter type, maintenance, reading, billing, and testing of water submeters. AB 19 would also require the State Department of Housing and Community Development (HCD) to develop and submit standards to the California Building

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Standards Commission that require the installation of water meters or submeters in individual dwelling units within a newly constructed multiunit residential structure or mixed-use residential and commercial structure. Low-income housing would be exempt from the meter or submeter requirements and HCD would be prohibited from developing building standards that require installation of submeters in a multiunit residential structure or mixed-use residential and commercial structure that is part of a common interest development.

The Department of Public Works (DPW) indicates that the requirement in AB 19, for water agencies to adopt a general policy to determine when the installation of either a water meter or submeter to measure water supplied to each individual dwelling unit will be required, would likely encourage water conservation and increase the efficiency of water use by informing individual tenants of how much water they are using on a monthly or bi-monthly basis.

The Department of Public Works and this office support the objectives of the bill to inform water users residing in multi-family units of their monthly or bi-monthly water use to encourage water conservation. In addition, DPW indicates that the bill could be improved by substituting "local agency" in each place where "water purveyor" appears within Sections 538 (a), (b), (c) and (d). Since submeters will be installed on private property downstream of the water purveyor's master meter, the local agency has jurisdiction for inspecting on-site improvements. Additionally, the bill should include language that requires the building permit application to include the project's estimated annual and peak daily water demand.

Support for AB 19 is consistent with existing County policy to support legislation to encourage water conservation and increase the efficiency of water use, and support for AB 1975 (Fong) of 2010, a similar bill. **Therefore, the Sacramento advocates will support AB 19, and request that it be amended as indicated above.**

Support and opposition to AB 19 is unknown. This measure is set for hearing in the Assembly Committee on Water, Parks and Wildlife on March 22, 2011.

**AB 298 (Brownley)**, as introduced on February 9, 2010, would prohibit a manufacturer or distributor, until January 1, 2013, from selling or distributing a reusable bag in California, if the bag is designed or intended to be sold or distributed to a store's customers, unless the reusable bag also meets all of the following conditions: 1) it is made from a material that can be cleaned and disinfected; 2) there are guidelines for cleaning and disinfecting the reusable bag printed on the bag, or on a tag attached to the bag and in a manner visible to the consumer; and 3) it does not contain lead, cadmium, or any other heavy metal in toxic amounts.

The Department of Public Works indicates that AB 298 would impose additional requirements upon the manufacturers or distributors of reusable bags that are consistent with the County's Single-Use Carryout Bag Reduction Ordinance, which requires a "reusable bag" meet specified standards, including that it be made from a material that can be cleaned or disinfected and does not contain heavy metal in toxic amounts.

The Department of Public Works and this office recommend that the County support AB 298. Support for this measure is consistent with existing County policy to support legislation which reduces the environmental impacts of single-use carryout bags and decreases the financial burden on local governments to address those impacts, including legislation which seeks to promote the use of reusable bags, reduce the use of plastic or paper carryout bags, and/or increase at-store recycling of carryout bags. **Therefore, the Sacramento advocates will support AB 298.**

Support and opposition to AB 298 is unknown. This measure is currently in the Assembly Natural Resources Committee awaiting a hearing date.

**AB 341 (Chesbro)**, as introduced on February 10, 2011, would: 1) increase the mandatory solid waste diversion rate from 50 percent to 75 percent by January 1, 2020; 2) require the owner or operator of a business that contracts for waste services and generates more than four cubic yards of total waste and recyclable materials per week, to arrange for recycling services; and 3) require enforcement agencies to inform solid waste facility operators that it is requiring a revision in the solid waste facility permit in conjunction with allowing changes in the design or operation of a facility, if the enforcement agency determines that the proposed change meets specified requirements.

The Department of Public Works indicates that AB 341 would increase the mandatory diversion rate and significantly increase costs to local governments. DPW indicates that the bill would increase the likelihood that the County and many cities in Los Angeles County will be subject to a fine of up to \$10,000 per day for failing to meet the State's increased waste reduction mandates, since the most cost effective and large impact waste reduction and recycling programs have already been implemented.

The Department of Public Works and this office oppose AB 341. Opposition is consistent with existing policy to: 1) oppose AB 479 (Chesbro) of 2010, a similar bill; 2) oppose AB 1390 (Huffman) of 2008, a similar bill; 3) support greater flexibility in meeting the State's waste reduction mandate; and 4) support greater emphasis on program implementation rather than quantification of waste diversion. **Therefore, the Sacramento advocates will oppose AB 341.**

Support and opposition to AB 341 is unknown. This measure is currently in the Assembly Natural Resources Committee awaiting a hearing.

**SB 244 (Wolk)**, as introduced on February 10, 2011, would require a city or county to amend its general plan before January 1, 2014, to address the presence of island, fringe, or legacy unincorporated communities, as defined, inside or near its boundaries, and would require the amended general plan to include specified information about disadvantaged unincorporated communities. It would also require a city or county, after the initial amendment of its general plan, to review, and if necessary, amend its general plan to update its information, goals, and program of action relating to these communities. A city or county would be required to incorporate the information in SB 244 in the general plan at the time of their next housing element update or comprehensive general plan update, whichever comes first.

The bill defines "disadvantaged unincorporated community" as a fringe, island, or legacy community in which the median household income is 80 percent or less than the statewide median income. "Unincorporated fringe community" is defined as any inhabited and unincorporated territory that is within a city's sphere of influence. "Unincorporated island community" is defined as any inhabited and unincorporated territory that is surrounded or substantially surrounded by one or more cities or by one or more cities and a county boundary of the Pacific Ocean. "Unincorporated legacy community" is defined as a geographically isolated community that is inhabited and has existed for at least 50 years.

The specific information required in the amended general plan regarding disadvantaged unincorporated communities includes: 1) an identification of each unincorporated island, fringe, or legacy community within or proximate to the boundaries of the city or county, including a description of the community and a map designating its location; 2) a quantification and analysis of the number of housing units and residents that lack access to sanitary sewer service and municipal water service; 3) the number of households within one-quarter of a mile of public transit; 4) the number of housing units that are in substandard condition; 5) the number of households paying more than 30 percent of their income toward housing; and 6) the number of households in overcrowded housing. The bill does not include a definition of "substandard" housing units, or "overcrowded" housing.

The amended general plan must also include: 1) the number of residential neighborhoods within a community that lack either paved roads, storm drainage, sidewalks, or street lighting; 2) an analysis of the city's or county's current programs and activities to address the conditions or deficiencies described above and an identification of any constraints to addressing those conditions or deficiencies; 3) a statement setting

forth the city's or county's specific quantified goals for eliminating or reducing the conditions or deficiencies described above; and 4) a program of flexible implementation measures that the city or county will undertake to achieve the goals for eliminating or reducing the conditions or deficiencies, including an identification of resources and a timeline of actions.

The Department of Regional Planning (DRP) indicates that SB 244 would require local jurisdictions to identify fringe, island, and legacy communities, conduct a detailed analysis related to infrastructure availability, and develop a program to reduce identified infrastructure deficiencies in these communities. DRP states that local jurisdictions should address infrastructure deficiencies in all communities through capital improvement plans, not general plan amendments. The purpose of coordinating land use and capital improvement planning is to eliminate existing infrastructure deficiencies.

In addition, DRP states that the County's General Plan already addresses land use planning for all unincorporated areas and some of the analyses required in SB 244, such as the number of overcrowded households, are already required under the Housing Element Law. The deadlines to update one or two elements in the General Plan with the Housing Element update is arbitrary and does not consider the existing requirement to update the Safety Element with Housing Element Updates. Many of the important planning issues in our urban islands in Los Angeles County will be dealt with through area plans and community plans, which are the best vehicles for dealing with the issues in the proposed bill, not updates to one or two Elements in the Countywide General Plan.

The Department of Regional Planning indicates that infrastructure analysis is not and should not be a requirement of the general plan, and recommends that the County oppose SB 244. Opposition to SB 244 is consistent with existing policy to oppose legislation that would constitute State unfunded land use and general plan-related mandates on local governments, and opposition to SB 1174 (Wolk) of 2010, a similar bill. **Therefore, the Sacramento advocates will oppose SB 244.**

Support and opposition to SB 244 is unknown. This measure is set for a hearing in the Senate Governance and Finance Committee on April 6, 2011.

### **Status of Climate Change Legislation of County-Interest**

#### **Water Quality, Supply, and Conservation**

**AB 157 (Jeffries)**, as introduced on January 19, 2011, would reduce by 25 percent the total amount of bond funds authorized to be issued pursuant to the Safe, Clean, and

Reliable Drinking Water Supply Act of 2012, and would make conforming reductions to amounts specified to be allocated from these bond funds for certain purposes.

SBX7 2 (Chapter 3 of 2010, Seventh Extraordinary Session) would, if approved by the voters, authorize the issuance of up to \$11.14 billion in State General Obligation bonds to finance a safe drinking water and water supply reliability program. The measure was initially scheduled to appear on the November 2010 General Election Ballot but legislation was passed to move this measure to the 2012 General Election Ballot.

If passed by the Legislature and approved by the voters, AB 157 would reduce the total amount of bond funding authorized to be issued pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 from \$11.14 billion to \$8.36 billion. The overall 25 percent funding reduction is achieved by a 25 percent across the board reduction for all funding categories within SBX7 2, including drought relief, regional supply, Delta sustainability, storage development, watershed conservation and water quality, groundwater clean-up and water recycling.

The Department of Public Works has reviewed AB 157 and has concerns about the funding reductions within the bill. DPW indicates that the proposed funding reductions will negatively affect the department's ability to address the water resources needs of the County and recommends that the funding amounts proposed in SBX7 2 be retained over the amounts included in AB 157.

Support and opposition to AB 157 is unknown. This measure is currently in the Assembly Water, Parks and Wildlife Committee awaiting a hearing.

**AB 550 (Huber)**, as introduced on February 16, 2011, would prohibit the construction of a peripheral canal that conveys water from a diversion point in the Sacramento River to a location south of the Sacramento-San Joaquin Delta, unless expressly authorized by the Legislature. It would require the Legislative Analyst's Office to complete an economic feasibility analysis prior to the enactment of a statute authorizing the construction of a peripheral canal.

AB 550 would also prohibit the construction and operation of a peripheral canal from diminishing or negatively affecting the water supplies, water rights, or quality of water for water users within the Delta watershed, or imposing any new burdens on infrastructure within, or financial burdens on persons residing in, the Delta or the Delta watershed.

Support and opposition to AB 550 is unknown. This measure is currently at the Assembly Desk awaiting referral to a policy committee.

**SB 34 (Simitian)**, as introduced on December 6, 2010, is currently a spot bill that would declare legislative intent to develop a fee-based system to pay for costs associated with updating and modernizing water infrastructure projects in the State and express legislative intent that the fees should pay for the noncapital costs that are necessary to meet the coequal goals of providing a more reliable water supply for the State and protecting, restoring, and enhancing riverine-based ecosystems.

Support and opposition to SB 34 is unknown. This measure is currently at the Senate Desk awaiting referral to a policy committee.

**SB 200 (Wolk)**, as introduced on February 8, 2011, would prohibit the construction of a new Delta conveyance facility unless specified conditions are met, including: 1) the adoption of an agreement by the State Department of Water Resources (DWR) and the Department of Fish and Game that specifies the stages of construction of the new Delta conveyance facility; and 2) the establishment plans and agreements for the construction of specified water facilities and implementation of specified water programs meeting prescribed conditions as part of the State Central Valley Projects.

SB 200 would prohibit the transportation of water for the Federal Central Valley Project through State project facilities, with specified exceptions, unless certain conditions are met. In addition, it would require DWR to enter into contracts with specified Delta agencies to recognize the rights of users to make use of the waters of the Delta and establish criteria for minimum water quality in the Delta.

Support and opposition to SB 200 is unknown. This measure is currently in the Senate Natural Resources and Water Committee awaiting a hearing.

**SB 571 (Wolk)**, as introduced on February 17, 2011, would require the California Water Commission (Commission) to develop a master plan before January 1, 2013, for financing and developing water resources in the State, including specified assessments and recommendations, to be updated every five years.

The Commission would be required to: 1) annually review and audit the award of State funds for water resources projects and programs; 2) develop a prioritized list of projects and programs relating to water supply, water quality, water conservation, water use efficiency, ecosystem and watershed restoration, and integrated regional water management planning and implementation, for awarding State financial assistance for those projects and programs; and 3) establish guidelines for the award of State financial assistance allocated for integrated regional water management plans.

Support and opposition to SB 571 is unknown. This measure is currently in the Senate Natural Resources and Water Committee awaiting a hearing.

#### Energy Efficiency/Renewables

**AB 1054 (Skinner)**, as introduced on February 18, 2011, and **ABX1 14 (Skinner)**, as amended on March 1, 2011, would both require the Alternative Energy and Advanced Transportation Financing Authority (Authority) to administer a Clean Energy Reserve Program that would be developed by the State Energy Resources Conservation and Development Commission to reduce the costs to property owners of a loan provided by a financial institution that has a loan program that satisfies specified requirements.

Existing law establishes a Property Assessed Clean Energy (PACE) Reserve program to assist local jurisdictions in financing the installation of distributed generation renewable energy sources or energy or water efficiency improvements meeting specified requirements that are permanently affixed on real property using a voluntary contractual assessment.

ABX1 14 and AB 1054 would require the Authority to expand the existing PACE Program by establishing a statewide energy and water efficiency and renewable energy generation building retrofit financing program to finance the installation of distributed generation renewable energy sources, electric charging infrastructure, or energy or water efficiency improvements. The bill would also increase the amount the Authority may expend for initial administrative costs in implementing the PACE Reserve Program from \$300,000 to \$500,000.

Support and opposition to ABX1 14 and AB 1054 is unknown. ABX1 14 passed the Assembly Appropriations Committee on March 2, 2011, by a vote of 11 to 5, and is currently pending a vote on the Assembly Floor. AB 1054 is currently at the Assembly Desk awaiting referral to a policy committee.

**SB 23 (Simitian)**, as introduced on December 6, 2010, would make numerous revisions to the Renewable Energy Resources Program and requirements under the Renewable Portfolio Standard (RPS) Program, including increasing the amount of electricity generated from eligible renewable energy resources per year, so that amount equals at least 20 percent of total retail sales of electricity in the State per year by December 31, 2013, and 33 percent by December 31, 2020. This measure would also make various other changes to the Renewable Energy Resources and RPS Programs.

Support and opposition to SB 23 is unknown. This measure is currently in the Senate Energy, Utilities and Communications Committee pending a hearing.



**SB 35 (Padilla)**, as introduced on December 6, 2010, would extend to January 1, 2013, the requirements for the: 1) Public Utilities Commission (PUC) to require an electrical corporation to identify a separate electrical rate component to fund energy efficiency, renewable energy, and research, development and demonstration programs that enhance system reliability and provide in-state benefits; and 2) Energy Commission to develop procedures for project or program funding and evaluation for the Public Interest Research, Development, and Demonstration Program, which addresses projects not provided for by competitive regulated markets. SB 35 would also extend the use of funds from the Public Interest Research, Development, and Demonstration Fund for purposes of the bill until January 1, 2013. All of the above provisions in existing law are due to sunset on January 1, 2012.

Support and opposition to SB 35 is unknown. This measure is currently in the Senate Energy, Utilities and Communications Committee pending a hearing.

**SB 679 (Pavley)**, as introduced on February 18, 2011, would redirect the unencumbered balance that was appropriated for the PACE Reserve program to the Energy Commission to provide low-interest energy efficiency revolving loans to local governments and public institutions.

County-supported SB 77 (Chapter 15 of 2010) required the California Alternative Energy and Advanced Transportation Financing Authority (Authority) to establish the PACE Reserve Program to assist local jurisdictions in financing the installation of distributed generation of renewable energy sources or energy or water efficiency improvements meeting specified requirements that are permanently affixed on real property through the use of a voluntary contractual assessment.

SB 77 appropriated up to \$50.0 million from the Renewable Resource Trust Fund to the Authority for the PACE Reserve Program. SB 679 would appropriate the unencumbered balance of the \$50.0 million for the PACE Reserve Program to the Energy Commission for providing low-interest energy efficiency revolving loans to local governments and public institutions.

Support and opposition to SB 679 is unknown. This measure is currently in the Senate Energy, Utilities and Communications Committee awaiting a hearing.

#### Transportation and Land Use

**AB 720 (Hall)**, as introduced on February 17, 2011, would eliminate the ability of counties who have elected to be subject to the Uniform Public Construction Cost Accounting Act (UPCCAA) to use Road Commissioner authority granted under Public

Contract Code (PCC) Section 20395 which allows counties to use their own employees to perform work on county highways. The bill would also increase from \$30,000 to \$45,000 the total cost of a project that is allowed to be performed by public agency employees.

According to the California State Association of Counties (CSAC), the UPCCAA allows local agencies to perform public project work up to \$30,000 with its own work force if the agency elects to follow specific cost accounting procedures. In exchange for following these specific accounting procedures that provide greater accountability and transparency, local agencies have additional contracting flexibility, higher thresholds, and an alternative bidding procedure when an agency performs public project work by contract.

Since county Road Commissioner authority, which has been in existence since 1935, provides county transportation departments the necessary flexibility to address local issues such as natural disasters or emergencies as well as routine maintenance, the UPCCAA allows counties to retain critical flexibility and authority as granted under PCC Section 20395(c) while a part of the UPCCAA. Thirty-two counties in the State are currently under the UPCCAA which provides benefits such as the informal bidding process which is used by various departments in addition to county public works departments to keep project costs to a minimum. However, CSAC indicates that Road Commissioner authority as provided for in PCC Section 20395 is still necessary to ensure counties' ability to perform work on county highways in a timely, efficient and cost-effective manner.

AB 720 would require the 32 counties under the UPCCAA to give up the benefits of the UPCCAA, used by many other county departments, in order to retain critical Road Commissioner authority for transportation-related purposes. It would essentially force the 32 counties affected to choose between their overall county authority under the UPCCAA or Road Commissioner authority. County transportation departments would be restricted to the proposed \$45,000 force account limit under the UPCCAA or convince all other departments to give up their flexibility under the UPCCAA to exercise Road Commissioner authority.

Support for AB 720 is unknown. It is opposed by CSAC, the Regional Council of Rural Counties, and the Urban Counties Caucus. This measure is currently in the Assembly Local Government Committee awaiting a hearing.

Environmental Protection and Open Space

**SB 567 (DeSaulnier)**, as introduced on February 17, 2011, would prohibit the sale of a plastic product labeled as “compostable” or marine degradable” unless it meets those American Society for Testing and Materials (ASTM) standard specifications or a standard adopted by the Department of Resources Recycling and Recovery (CalRecycle), or unless the plastic product is labeled with a qualified claim for which CalRecycle has adopted an existing standard and the plastic product meets that standard.

SB 567 would also: 1) prohibit the sale of a plastic product that is labeled as “biodegradable,” “degradable,” or “decomposable”; 2) allow a city, county or the State to impose civil liability in the amount of \$500 for the first violation, \$1,000 for the second violation, and \$2,000 for the third and any subsequent violation; and 3) require any civil penalties collected to be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General that brought the action.

Support and opposition to SB 567 is unknown. This measure is currently in the Senate Environmental Quality Committee awaiting a hearing.

**SB 568 (Lowenthal)**, as introduced on February 17, 2011, would prohibit, on and after January 1, 2013, a food vendor from dispensing prepared food to a customer in a polystyrene foam food container.

“Food vendor” includes, but is not limited to, a restaurant or retail food and beverage vendor, an itinerant restaurant, pushcart, vehicular food vendors, a caterer, a cafeteria, a store, a shop, a sales outlet, or other establishment, including a grocery store or a delicatessen. It does not include a correctional facility, including but not limited to, a State prison, county jail, facility of the Division of Juvenile Justice, county or city-operated juvenile facility or other State or local correctional institution.

“Prepared food” includes a beverage that is served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared for consumption, including “ready-to-eat food.” Prepared food includes food that may be eaten either on or off the premises, and includes takeout food. It does not include raw, butchered meats, fish, or poultry that is sold from a butcher case or a similar retail appliance.

Support and opposition to SB 568 is unknown. This measure is currently in the Senate Environmental Quality Committee awaiting a hearing.

**SB 915 (Calderon R.)**, as introduced on February 18, 2011, is currently a spot bill that would declare legislative intent to: 1) require a reduction in plastic bag use; 2) establish a mandatory level of recycled content in plastic bags according to a specified schedule; 3) increase funding for recycling education; 4) establish incentives for consumers to return or recycle plastic bags; 5) suspend local plastic bag ordinances; and 6) prohibit local governments from enacting plastic bag bans or fees on plastic bags.

Support and opposition to SB 915 is unknown. This measure is currently at the Senate Desk awaiting referral to a policy committee.

#### California Environmental Quality Act (CEQA) Exemptions

**AB 83 (Jeffries)**, as introduced on January 5, 2011, would exempt from CEQA a project for the installation of a new pipeline for the distribution of recycled water within an improved public street, highway, or right-of-way. Support and opposition to AB 83 is unknown. This measure is currently in the Assembly Natural Resources Committee pending a hearing.

**AB 890 (Olsen)**, as introduced on February 17, 2011, would exempt from CEQA a roadway improvement project or activity that is undertaken by a city, or county, or city and county. Support and opposition to AB 890 is unknown. This measure is currently at the Assembly Desk awaiting referral to a policy committee.

**AB 963 (Valadao)**, as introduced on February 18, 2011, would exempt from CEQA a project undertaken to allow for the substitution of a source of surface water for a source of groundwater deemed to be contained if the source of contaminated groundwater is serving an economically disadvantaged community of less than 3,000 residents. Support and opposition to AB 963 is unknown. This measure is currently at the Assembly Desk awaiting referral to a policy committee.

**AB 1185 (Torres)**, as introduced on February 18, 2011, would exempt from CEQA, until January 1, 2015, a project that consists of the alteration of a vacant retail structure that existed prior to January 1, 2008, is not more than 60,000 square feet in area, and meets specified requirements, including specified improved energy efficiency and water consumption targets. Support and opposition to AB 1185 is unknown. This measure is currently at the Assembly Desk awaiting referral to a policy committee.

**SB 241 (Cannella)**, as introduced on February 9, 2011, would enact the "CEQA Litigation Protection Pilot Program of 2011" that would require the Business, Transportation and Housing Agency (BTHA) to select 25 projects each year for the next

five years and grant them immunity from the environmental and public participation requirements of CEQA. The bill sunsets on January 1, 2017.

Specifically exempted from judicial review, pursuant to CEQA, is: 1) a lead agency's decision to certify the Environmental Impact Report (EIR) of, or to adopt a mitigated negative declaration based on an initial study for, the selected "pilot" projects; 2) a lead agency's and responsible agency's approval of the selected projects; and 3) the BTHA's selection of the projects to be in the pilot. Therefore, interested parties would lose the ability to sue a lead agency if they disagree with the agency's decision to certify an EIR, adopt a mitigated negative declaration, the decision to approve a project in the pilot program, and the selection of the project by the BTHA for the pilot program.

Of the 25 projects each year granted a CEQA exemption, 10 projects would come from the counties of Los Angeles, Imperial, Orange, Riverside, San Bernardino, and San Diego. Five projects will be located in the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, Santa Clara, Solano, and Sonoma, and five projects from the counties of Fresno, Kern, Kings, Madera, Merced, Sacramento, San Joaquin, Stanislaus, and Tulare. The remaining five projects per year will be located in the rest of the State.

For a project to qualify for the CEQA exemption, the lead agency must certify to the Secretary of the BTHA that the EIR will be certified within 12 months. If it is not certified, the project must be replaced by an alternate project selected by the BTHA Secretary. The BTHA is required to hold at least one public hearing in each region to consider public comments on the selected projects in each region. In selecting projects, BTHA must consider the number and quality of jobs that will be created by the project; the amount of capital investment made by the project; and the balance between projects sponsored by public and private entities.

Support and opposition to SB 241 is unknown. This measure is currently in the Senate Environmental Quality Committee awaiting a hearing date.

**SB 620 (Correa)**, as introduced on February 18, 2011, would exempt from CEQA, until January 1, 2015, a project that consists of the alteration of a vacant retail structure that existed prior to January 1, 2009, is more than 120,000 square feet in area, and meets specified requirements, including specified improved energy efficiency and water consumption targets. Support and opposition to SB 620 is unknown. This measure is currently in the Senate Environmental Quality Committee awaiting a hearing.

### Green Workforce/Green Jobs

**AB 15 (Perez V.)**, as introduced on December 6, 2010, would require the California Workforce Investment Board, in consultation with the Green Collar Jobs Council, to establish the California Renewable Energy Workforce Readiness Initiative to ensure green collar career placement and advancement opportunities within renewable energy generation, manufacturing, construction, installation, maintenance, and operation sectors that is targeted toward populations that have historically faced barriers to employment. Support and opposition to AB 15 is unknown. This measure is currently in the Assembly Labor and Employment Committee pending a hearing.

### Miscellaneous Climate Change Bills

**AB 725 (Bradford)**, as introduced on February 17, 2011, is currently a spot bill that would require the Public Utilities Commission, in consultation with electrical corporations, telephone corporations, and representatives of local government, to open an appropriate proceeding to evaluate whether to amend, revise, or improve its rules for replacing overhead electrical and communications facilities with underground facilities. Support and opposition to AB 725 is unknown. This measure is set for hearing in the Assembly Utilities and Commerce Committee on March 21, 2011.

**AB 1354 (Huber)**, as introduced on February 18, 2011, would prohibit the retention of any amount with respect to all contracts entered into on or after January 1, 2012, between a public entity and an original contractor, between an original contractor and a subcontractor, and between all subcontractors related to the construction of any public work of improvement. Support and opposition to AB 1354 is unknown. This measure is currently at the Assembly Desk awaiting referral to a policy committee.

**SB 862 (Lowenthal)**, as introduced on February 18, 2011, would establish the Southern California Goods Movement Authority (Authority) to establish a priority list of goods movement projects in southern California to be transmitted to the California Transportation Commission (CTC) and require the Alameda Corridor East Construction Authority to provide staff and meeting space for the Authority.

The Authority would be composed of one representative from each of the following: 1) Port of Los Angeles; 2) Port of Long Beach; 3) City of Los Angeles; 4) City of Long Beach; 5) City of Anaheim; 6) City of Riverside; 7) City of San Bernardino; 8) Los Angeles County Metropolitan Transportation Authority; 9) Orange County Transportation Authority; 10) Riverside County Transportation Commission; 11) San Bernardino Associated Governments; and 12) Alameda Corridor East Construction Authority. Each representative will have one vote when determining the

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list of priority projects and a majority of the Authority's members must support the list that is transmitted to the CTC. Public meeting laws that apply to the City of Long Beach or the City of Los Angeles will apply to the Authority.

Support and opposition to SB 862 is unknown. This measure is currently at the Senate Desk awaiting referral to a policy committee.

We will continue to keep you advised.

WTF:RA  
EW:sb

c: All Department Heads  
Legislative Strategist  
Local 721  
Coalition of County Unions  
California Contract Cities Association  
Independent Cities Association  
League of California Cities  
City Managers Associations  
Buddy Program Participants